***USAGE NOTE: This form must be delivered or presented to the child’s teacher. We recommend that a copy also be given to the principal of the school. If you have more than one student enrolled, a separate letter should be delivered to each teacher.***

[Child’s Teacher]

[Principal of School]

[Name of School]

 Re: [Name of Student]

 Declination of “Mandatory” Tutoring

Dear [Child’s Teacher]:

 I have received your notice that based on benchmark or mock STAAR results, my child, [Name of Student], is required to attend mandatory tutoring [before school, after school, during the school day]. This letter will inform you that we will not be participating in, nor can the school mandate, tutoring for STAAR that occurs before or after the school day. [***If the tutoring is during school add***: To the extent you intend to deliver this tutoring during regular school hours, we decline to participate under Tex. Education Code sec. 26.010.]

 The Texas Education Code strictly limits the situations in which compulsory attendance may be required outside of school hours. Performance on district or school level administered assessments is not one of those situations. Any tutoring the school offers based on benchmark or local assessments is purely optional. By law, you cannot mandate it and communications to the contrary are completely misleading.

 [Name of Student] will not be attending these tutoring sessions, and I fully expect that [Name of School] will follow the law and assure that no adverse consequences, including pressure from teachers or administrators, are taken against my child.

 Please confirm your intention to abide by the Texas Education Code and your assurance that my parental decision to decline additional tutoring will not be the basis of any actions against my child.

Sincerely,

[Parents Names]